

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JOSHUA DAVID MARTINEZ,

Plaintiff,

VS.

R. MENCHACA, *et al*,

Defendants.

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CIVIL ACTION NO. C-08-197

ORDER ADOPTING MEMORANDUM AND
RECOMMENDATION ON DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT


On August 7, 2009, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that defendants' motion for summary judgment (D.E. 138) be granted and that plaintiff's claims be dismissed with prejudice. On August 24, 2009, plaintiff filed Objections to the Magistrate's Recommendations.

Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and plaintiff's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson*, 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED that defendants' motion for summary judgment is granted and plaintiff's claims are dismissed with prejudice.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 14th day of October, 2009.



Janis Graham Jack
United States District Judge